

E-filed on November 30, 2006

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*Attorneys for the Official Committee of Equity  
 Security Holders of USA Capital Diversified Trust  
 Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA**

In re:  
 USA COMMERCIAL MORTGAGE COMPANY,  
 Debtor.

In re:  
 USA CAPITAL REALTY ADVISORS, LLC,  
 Debtor.

In re:  
 USA CAPITAL DIVERSIFIED TRUST DEED  
 FUND, LLC,  
 Debtor.

In re:  
 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 Debtor.

In re:  
 USA SECURITIES, LLC,  
 Debtor.

**Affects:**

- ☐ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☒ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

Case No. BK-S-06-10725 LBR  
 Case No. BK-S-06-10726 LBR  
 Case No. BK-S-06-10727 LBR  
 Case No. BK-S-06-10728 LBR  
 Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under  
 Case No. BK-S-06-10725-LBR

**NOTICE OF HEARING OF OMNIBUS  
 OBJECTION OF THE OFFICIAL  
 COMMITTEE OF EQUITY SECURITY  
 HOLDERS OF USA CAPITAL  
 DIVERSIFIED TRUST DEED FUND,  
 LLC TO CLAIMS ON EQUITY  
 MISFILED AS CREDITOR CLAIMS  
 BY ALFRED OLSEN, JR. JOSEPH AND  
 LORETTA DONNOLO, TRUSTEES OF  
 THE DONNOLO FAMILY TRUST,  
 JOHN MULKEY, ARTHUR P. AND  
 EULALIA LAIRD, TRUSTEES,  
 KRISTEN L. BELING AND WILLIAM  
 J. DOUGHERTY, TRUSTEES,  
 WILLIAM F. OR LOUISE SCHEVE,  
 BRUCE AND SHERRY LAYNE, MARK  
 HORTON TREAS. ALLEN BENNETT  
 TRUSTEE SHEPHERD OF THE  
 MOUNTAINS LUTHERAN CHURCH**

Date: January 3, 2007  
 Time: 9:30 a.m.  
 Courtroom: 1

1 **TO: ALFRED OLSEN, JR.**  
2 **JOSEPH AND LORETTA DONNOLO, TRUSTEES OF**  
3 **THE DONNOLO FAMILY TRUST**  
4 **JOHN MULKEY**  
5 **ARTHUR P. AND EULALIA LAIRD, TRUSTEES**  
6 **KRISTEN L. BELING AND WILLIAM J. DOUGHERTY, TRUSTEES**  
7 **WILLIAM F. OR LOUISE SCHEVE**  
8 **BRUCE AND SHERRY LAYNE**  
9 **MARK HORTON TREAS. ALLEN BENNETT TRUSTEE SHEPHERD OF**  
10 **THE MOUNTAINS LUTHERAN CHURCH**  
11 **DEBTOR**  
12 **ATTORNEYS FOR DEBTOR**  
13 **U.S. TRUSTEE**  
14 **ALL PARTIES IN INTEREST**

15 **NOTICE IS HEREBY GIVEN** that the Official Committee of Equity Security Holders  
16 of USA Capital Diversified Trust Deed Fund, LLC (the "Diversified Committee") filed its  
17 Omnibus Objection of the Official Committee of Equity Security Holders of USA Capital  
18 Diversified Trust Deed Fund, LLC To Claims on Equity Misfiled as Creditor Claims (the  
19 "Objection"). The Objection is based upon the grounds that the proofs of claim described on  
20 Exhibit "1" attached hereto are claims on equity interests of debtor USA Capital Diversified  
21 Trust Deed Fund, LLC ("Diversified Fund") that have been erroneously filed as creditor claims  
22 against Diversified Fund, and that Diversified Fund has no liability on account of such misfiled  
23 claims. A copy of the Objection may be obtained at the bankruptcy court's website at  
24 <http://www.nvb.uscourts.gov/> or by contacting Beckley Singleton, Chtd. at (702) 385-3373.

25 Any Opposition must be filed pursuant to Local Rule 9014(d)(1).

26 Local Rule 9014(d)(1): "Oppositions to a motion must be filed and  
27 service must be completed on the movant no later than fifteen (15) days  
28 after the motion is served except as provided by LR 3007(b) and LR  
9006. If the hearing has been set on less than fifteen (15) days' notice,  
the opposition must be filed no later than five (5) business days before  
the hearing, unless the court orders otherwise. The opposition must set  
forth all relevant facts and any relevant legal authority. An opposition  
must be supported by affidavits or declarations that conform to the  
provisions of subsection (c) of this rule."

29 Please carefully review the Omnibus Objection included with this Notice, particularly  
30 Exhibit 1 referenced above concerning your claim(s).

1 IF ANY CREDITOR SHOULD DISAGREE WITH THE DTDF COMMITTEE'S  
2 OBJECTION NOTED ABOVE, AND AS DISCUSSED IN THE OMNIBUS  
3 OBJECTION, SUCH CREDITOR MUST FILE A RESPONSE TO THE OMNIBUS  
4 OBJECTION AND SERVE IT UPON DTDF COMMITTEE'S COUNSEL NO LATER  
5 THAN DECEMBER 26, 2006.

6 If you object to the relief requested, you *must* file a **WRITTEN** response to this  
7 pleading with the court. You *must* also serve your written response on the person who sent you  
8 this notice.

9 If you do not file a written response with the court, or if you do not serve your written  
10 response on the person who sent you this notice, then:

- 11 • The court may *refuse to allow you to speak* at the scheduled hearing; and
- 12 • The court may *rule against you* without formally calling the matter at the  
13 hearing.

14 NOTICE IS FURTHER GIVEN that the hearing on the said Objection will be held  
15 before a United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Blvd.  
16 South, Third Floor, Bankruptcy Courtroom No. 1, at Las Vegas, Nevada on January 3, 2007 at  
17 the hour of 9:30 a.m.

18 Respectfully submitted this 30<sup>th</sup> day of November 2006.

19 BECKLEY SINGLETON, CHTD.

20  
21 By: /s/Anne Loraditch

22 Bob L. Olson (Nevada Bar No. 3783)  
23 Anne M. Loraditch (Nevada Bar No. 8164)  
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25 Las Vegas, NV 89101

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**EXHIBIT "1"**  
**CLAIMS ON EQUITY**

<b>Claim No.</b>	<b>Claimant</b>	<b>Claim Amount</b>	<b>Proposed Disposition</b>
71-1	Alfred Olsen, Jr.	\$223,706.67	Reclassify as proof of interest
72-1	Joseph And Loretta Donnolo, TTEES Of The Donnolo Family Trust	\$48,047.00	Reclassify as proof of interest
73-1	John Mulkey	\$817.95	Reclassify as proof of interest
74-1	Arthur P. Laird & Eulalia Laird, TTEES of the Laird Family Trust Dated 2/15/97	\$30,829.24	Reclassify as proof of interest
75-2	Kristen L. Beling & William J. Dougherty, TTEES of the Sunset Endodontics PS Trust	\$55,644.80	Reclassify as proof of interest
76-1	William F. or Louise Scheve	\$36,669.07	Reclassify as proof of interest
77-1	Bruce and Sherry Layne	\$240,000.00	Reclassify as proof of interest
78-1	Mark Horton Treasurer Allen Bennett Trustee Shepherd of the Mountains Lutheran Church	\$24,708.00	Reclassify as proof of interest